



# City of Loma Linda Official Report

Floyd Petersen, Mayor  
Stan Brauer, Mayor pro tempore  
Robert Christman, Councilmember  
Robert Ziprick, Councilmember  
Charles Umeda, Councilmember

COUNCIL AGENDA: August 23, 2005

TO: City Council

VIA: Dennis R. Hallway, City Manager

FROM: Pamela Byrnes-O'Camb, City Clerk *pho*  
Deborah Woldruff, Director of Community Development *DW*

SUBJECT: **Council Bill #O-2005-14** (Second Reading/Roll Call Vote) – Amending Loma Linda Municipal Code Chapter 2.24 relating to expanding the Planning Commission; eliminating the Alternate position; and designating a quorum

## RECOMMENDATION

It is recommended that the City Council

- 1) Waive reading of the proposed ordinance in its entirety;
- 2) Direct the Clerk to read by title only;
- 3) Adopt on roll call vote

## BACKGROUND

On July 26, 2005, the City Council reviewed the proposed amendment to the Loma Linda Municipal Code (LLMC) Chapter 2.24, [Planning Commission]. The City Council introduced Council Bill #O-2005-14 on the First Reading and set the Public Hearing and Second Reading for August 23<sup>rd</sup>.

## ANALYSIS

The City Councils' discussion of this item on July 26<sup>th</sup> focused on the number of Commissioners required to make a quorum for a five or seven member commission. The draft text sets the quorum for a five member commission at three and at five for a seven member commission. However, the text may be amended at a later date to allow a quorum of four members for either a five or seven member commission.

Staff supports the amendment to expand the Planning Commission from five to seven members. Additional members will bring more experience and diversity to the Commission and allow more residents the opportunity to serve.

## **ENVIRONMENTAL**

The proposed amendment to LLMC Chapter 2.24 to expand the Planning Commission and eliminate the Alternate position is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061(b)(3), which states the following:

“...CEQA applies only to projects [that] have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

Amending the LLMC to expand the Planning Commission is an administrative function of the City that will not have a direct effect on the environment.

## **FINANCIAL IMPACT**

As a result of the proposed amendment, the costs associated with Planning Commission operations would increase by approximately \$4,800 annually if two meetings are held each month. Each Commissioner present receives \$100 per meeting for up to two meetings per month as reflected in the 2005-2006 fiscal year budget.

## **ATTACHMENT**

1. Council Bill #O-2005-14

# **Attachment 1**

**Council Bill #O-2005-14**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA AMENDING SECTIONS 2.24.020, 2.24.030 AND 2.24.090 OF CHAPTER 2.24 OF THE LOMA LINDA MUNICIPAL CODE RELATING TO THE PLANNING COMMISSION

THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES HEREBY ORDAIN  
AS FOLLOWS:

**Section 1.** Section 2.24.020 of the Loma Linda Municipal Code is hereby amended to read as follows:

2.24.020 Composition and appointment of members – Eligibility for membership.

A. The planning commission shall consist of five adult members and may consist of one additional alternate/designate member, all to be appointed by the city council. To be eligible for appointment or retention on the planning commission, a citizen must be and must maintain his status as a resident elector of the city.

B. ~~The city council may elect to appoint an alternate/designate sixth member to the planning commission. As an alternate, the sixth member of the planning commission will be required to attend all meetings and may vote on any issue in place of any one planning commissioner who is absent from a meeting. As a designate, the sixth member of the planning commission will automatically replace a vacancy on the planning commission.~~

C.B. Members of the city council and city staff are ineligible for membership on the planning commission.

C. ~~City Council, in its discretion, may expand the Planning Commission to seven members to serve for such terms as the Council may designate.~~

**Section 2.** Section 2.24.030 of the Loma Linda Municipal Code is hereby amended to read as follows:

2.24.030 Terms of members – Filling vacancies.

The terms of the members of the planning commission shall be as follows: one shall be appointed for a term of one year, two for a term of two years, and two for a term of three years. ~~The alternate/designate planning commissioner shall be appointed for a term of one year. All succeeding terms shall be for a period of three years or until a successor is appointed. If a vacancy occurs otherwise than by expiration of a term, it shall be filled automatically by the alternate/designate planning commissioner, or in the absence of an alternate/designate planning commissioner, by appointment of the city council, for the unexpired portion of the term.~~

**Section 3.** Section 2.24.090 of the Loma Linda Municipal Code is hereby amended to read as follows:

2.24.030 Quorum.

Three members of the planning commission shall constitute a quorum if the ~~Planning Commission is comprised of five members. Five members shall constitute a quorum if the Planning Commission is comprised of seven members.~~

**Section 4. Validity.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**Section 5. Posting.** Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the \_\_\_\_\_ day of \_\_\_\_\_ and was adopted on the \_\_\_\_\_ day of \_\_\_\_\_ by the following vote to wit:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Abstain: \_\_\_\_\_

Absent: \_\_\_\_\_

\_\_\_\_\_  
Floyd Petersen, Mayor

Attest:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk